

Community resources

[Follow us on Twitter](#) [Check our Reddit](#) [Twitter this](#) [Digg this page](#) [Contact us on IRC](#)

courage is contagious

Viewing cable 09MEXICO3092, MEXICO: THE LEGACY OF PGR'S MEDINA MORA

If you are new to these pages, please read an introduction on the [structure of a cable](#) as well as how to [discuss them](#) with others. See also the [FAQs](#)

Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tag **#cablegate** and a hash containing the reference ID e.g. **#09MEXICO3092**.

Reference ID	Created	Released	Classification	Origin
09MEXICO3092	2009-10-27 22:20	2011-08-30 01:44	CONFIDENTIAL	Embassy Mexico

Appears in these articles:

<http://wikileaks.jornada.com.mx/notas/bajo-la-mesa-washington-culpa-a-mexico-del-trafico-de-armas>

VZCZCXRO1778
RR RUEHCD RUEHGD RUEHMO RUEHMC RUEHNG RUEHNL RUEHRD RUEHRS RUEHTM
DE RUEHME #3092/01 3002220
ZNY CCCCC ZZH
R 272220Z OCT 09
FM AMEMBASSY MEXICO
TO RUEHC/SECSTATE WASHDC 8783
INFO RUEHXC/ALL US CONSULATES IN MEXICO COLLECTIVE
RUEABND/DEA HQS WASHINGTON DC
RUEHME/USMLO MEXICO CITY MX
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC
RHMFISS/DEPT OF JUSTICE WASHINGTON DC
RUEHME/USDAO MEXICO CITY MX
RHEHOND/DIR ONDCP WASHINGTON DC

231668
2009-10-27 22:20:00
09MEXICO3092
Embassy Mexico
CONFIDENTIAL

VZCZCXRO1778
RR RUEHCD RUEHGD RUEHMO RUEHMC RUEHNG RUEHNL RUEHRD RUEHRS RUEHTM
DE RUEHME #3092/01 3002220
ZNY CCCCC ZZH
R 272220Z OCT 09
FM AMEMBASSY MEXICO

TO RUEHC/SECSTATE WASHDC 8783
INFO RUEHXC/ALL US CONSULATES IN MEXICO COLLECTIVE
RUEABND/DEA HQS WASHINGTON DC
RUEHME/USMLO MEXICO CITY MX
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC
RHMFISS/DEPT OF JUSTICE WASHINGTON DC
RUEHME/USDAO MEXICO CITY MX
RHEHOND/DIR ONDCP WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 03 MEXICO 003092

SENSITIVE
SIPDIS

E.O. 12958: DECL: 09/18/2028
TAGS: [PREL](#) [PHUM](#) [PINR](#) [UN](#) [MX](#)
SUBJECT: MEXICO: THE LEGACY OF PGR'S MEDINA MORA

REF: MEXICO CITY 002759

Classified By: Political Minister Counselor Gustavo Delgado. Reason: 1
.4 (b),(d).

¶1. (C) Summary. With his resignation on September 8, Mexican Attorney General (AG) Eduardo Medina Mora Icaza leaves a two-fold legacy. His tenure in office was very positive for the USG, as he forged a solid relationship with us, offered full support on high-level extradition cases, and laid the groundwork for future bilateral cooperation. He was clearly committed to cracking down on Mexico's drug cartels and took a strong stand on high-level corruption within his institution. Notwithstanding his considerable achievements, he lacked the political heft and possibly the institutional vision necessary to transform fully the Attorney General's Office (PGR) and make significant advances on crucial justice reform issues. His modest record of convictions of thousands arrested on drug-related charges, and his reservations with regard to the more aggressive use of his office, clearly contributed to Calderon's decision to replace him. Medina Mora's biggest failure may have been his inability to overcome the deep personal animosity he had with Secretary Garcia Luna of the Secretariat for Public Security (SSP), a source of additional tension between the PGR and the SSP that undermined Mexico's counternarcotics effort and complicated our Merida Initiative programming. End Summary.

Producing Results

¶2. (SBU) As the head of the PGR, Medina Mora was viewed as one of the key members of Calderon's security team leading the fight against organized crime. During his tenure, Mexico realized new records in seizing cash - at least \$214 million dollars in drug money, though \$207.4 million dollars came from Chinese-born businessman Zhenli Ye Gon - and drugs, most notably 35.1 tons of cocaine in two operations in October ¶2007. Medina Mora also banned the importation of pseudoephedrine and ephedrine, the drug used to manufacture methamphetamine, into Mexico.

¶3. (U) Recognizing the importance of a strong relationship with the U.S. in Mexico's fight against organized crime, Medina Mora played a lead role in forging greater collaboration between our two countries. DOJ and DEA officials praise Medina Mora for working through Mexico's legal morass to produce record numbers of extraditions, including many high-value targets. In January 2007 alone, Mexico extradited 15 fugitives to the U.S. including leader of the Gulf Cartel, Osiel Cardenas Guillen, with another 10 fugitives on the U.S. Most Wanted List extradited in December ¶2008.

¶4. (C) On the sensitive issue of arms trafficking, USG officials generally credit Medina Mora with pushing for a constructive and collaborative approach, rather than trying to score cheap political points by attacking the Second Amendment or publicly bashing the repeal of the Assault Weapons Ban. There were some exceptions to his largely positive collaboration, notably, at a conference in December

2008 where Medina Mora criticized the U.S. for having done little to curb the illegal transfer of arms into Mexico.

¶5. (SBU) Perhaps most importantly, Medina Mora proved a key player for the GOM in defining the Merida Initiative and establishing areas for assistance and cooperation in terms of equipment and training programs. He also sought greater cooperation with Colombia on fighting the drug cartels. This collaboration culminated in the Tripartite Agreement - an agreement between Colombia, the U.S., and Mexico that helped bring about the capture of several high-value Colombian targets in Mexico.

¶6. (U) Medina Mora also took unprecedented steps to attack corruption within PGR, the police, and local governments. The anti-corruption investigative initiative "Operacion Limpieza" led to the arrest of several high-level officials, including his subordinate - former Chief Organized Crime Prosecutor Noe Ramirez - arrested for passing information about police operations to the drug cartels and receiving monetary compensation. Medina Mora also had several mayors arrested on charges of corruption, though this operation was marred by accusations that political considerations had driven the arrests.

MEXICO 00003092 002 OF 003

¶7. (SBU) Medina Mora's supporters applaud his efforts to modernize the PGR. During his tenure, he created the Costanza Project, a \$200 million dollar initiative designed to transform PGR's culture in part by promoting transparency, training attorneys to build stronger cases, and digitizing files in order to incorporate a paperless system. We are hopeful that this program will be operational by next year and that the new AG, Arturo Chavez Chavez, will continue supporting its mandate. As another example of Medina Mora's commitment to efficiency, Oscar Rocha, a Senior Advisor to Medina Mora, pointed to his role in expediting the issuance of search warrants - a process that used to require working through local judges in cities where the property was located. Now seven designated judges located in the capital, working on a 24/7 rotational basis, can issue the warrants for any property in Mexico through an electronic application process.

But Falling Short in Some Key Respects

¶8. (C) On the downside, many of Medina Mora's critics complain he did little to settle the historical rift between PGR and the SSP. Given the personal animosity between Medina Mora and Garcia Luna, the relationship deteriorated during Medina Mora's time at PGR. The inability of Medina Mora to strategize and work together with Garcia Luna hindered drug enforcement efforts and the PGR's capacity to prosecute criminals. Rocha ascribed the difficult relationship to differing philosophies as to which agency should be responsible for carrying out investigations. Whereas Medina Mora believed Mexican law gave the PGR the lead investigative authority, Garcia Luna was keen on seeing the police assume a wider role.

¶9. (C) Others fault Medina Mora for not doing enough to promote greater transparency. As one example, PGR provided little information regarding the steps it was taking to institute justice reform, information we need to establish our own program priorities. Emborffs also found it difficult to obtain information from PGR on cases it was investigating in a number of sensitive areas including human rights, TIP, and crimes against journalists. Judicial officials from several Mexican states complained about Medina Mora's uneven communication with them on reforms and investigations, hindering their efforts in both of these areas. Similarly, the PGR never submitted its Merida coordination work proposal to USAID, a document we requested to facilitate the identification of priorities and the implementation of key

programs. It is unclear if Medina Mora felt these issues were lower priority or if he simply failed to empower staff to work them thoroughly.

¶10. (C) Representatives of Mexico's NGO community, as well as the quasi-governmental National Commission on Human Rights (CNDH), faulted Medina Mora for prioritizing operational objectives over longer term reform. Some blame him for securing adoption of reforms that violate the due process rights of defendants, such as the establishment of pre-charge detention ("arraigo") - for up to 80 days - for defendants implicated in organized crime activity. Many welcomed Mexico's adoption of a TIP law in 2008 but criticized PGR for assigning responsibility and oversight to two offices - its organized crime unit in SIEDO and its Crimes Against Women Office in FEVIMTRA - creating competing jurisdictions for dealing with TIP cases. Even Rocha conceded this was not the optimal way to handle these cases.

¶11. (C) Much of the blame foisted upon Medina Mora for delays in prosecuting criminals has more to do with Mexico's antiquated justice system than with personal inadequacies or lack of concern. Marcos Fastlicht, Director of PGR's Council of Civic Participation, insisted Medina Mora genuinely supported justice reform but could not always count on the institutional or political backing he needed to produce changes across the board. Rocha stated that Medina Mora, with his connections to the opposition PRI, often had disagreements with Calderon because he failed to tout the PAN party line.

¶12. (C) Comment. A seasoned political player with allies across the political spectrum, Medina Mora worked proactively with us on cleaning house, improving training in the PGR, and extraditions. His critics contend he could have done more to implement judicial reform and bridge gaps with the SSP. New

MEXICO 00003092 003 OF 003

AG Chavez' strong PAN credentials will help him with the Presidency, but there are those who believe Medina Mora's replacement is a less capable political operator, who will be overshadowed by Garcia Luna and stymied by his considerable human rights baggage (reftel). The challenge of building bridges with the SSP remains considerable and will require Chavez to be both tough and adroit in dealing with the difficult politics he faces. Implementing justice reform that transforms PGR into a more transparent, pragmatic, and nimble institution that works effectively with SSP will prove a tall challenge for Chavez Chavez as well. End Comment
Visit Mexico City's Classified Web Site at
<http://www.state.sgov.gov/p/wha/mexicocity> and the North American Partnership Blog at <http://www.intelink.gov/communities/state/nap/>

FEELEY